

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARY FRIEDRICH ENTERPRISES, LLC, ET :
AL. :

Plaintiffs, :

08 Civ. 1533 (KBF)

-v- :

ORDER

MARVEL ENTERPRISES, INC., et al., :

Defendants. :

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KATHERINE B. FORREST, District Judge:

On October 17, 2011, Plaintiffs Gary Friedrich Enterprises, LLC and Gary Friedrich filed a Motion for Reconsideration of the Court's May 3, 2010 Order adopting the Report and Recommendation of the Honorable James C. Francis VI, United States Magistrate Judge, dismissing Plaintiffs' state law and Lanham Act claims, and addressing objections to the Report and Recommendation. Defendants oppose the motion on the basis that, inter alia, Plaintiffs' motion is untimely under Local Rule 6.3 which requires a motion for reconsideration to be filed within 14 days "after the entry of the Court's determination of the original motion." L. Civ. R. 6.3. Plaintiffs concede that under Local Rule 6.3 their motion is out of time and that they violated the Local Rules.

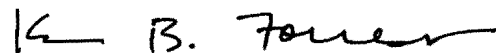
This Court finds no reason to vary from the requirements of the Local Rules in this instance.

It is hereby ORDERED that Plaintiffs' Motion for Reconsideration is DENIED as untimely.

The Clerk of the Court is directed to terminate this motion.

SO ORDERED:

Dated: New York, New York
November 30, 2011

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

KATHERINE B. FORREST
United States District Judge